

Exhibit 2

From: [Walling, Kate](#)
To: [Mark Pifko](#); [Russell Budd](#); [Chris Mansour](#); bleblanc@barondbudd.com; [Roland Tellis](#); [Catherine Dorsey](#); trafferty@levinlaw.com; mschultz@levinlaw.com; bcash@levinlaw.com; tjl@kttlaw.com; cseeger@seegerweiss.com; sdaroci@seegerweiss.com; bbogle@levinlaw.com; dbuchanan@seegerweiss.com; bwidlanski@kttlaw.com
Cc: [Feld, Jason Adam](#); [Moorman, Ryan](#); [Kearney, Ryan](#); [Stilley, Tyler](#)
Subject: RE: St. Mary's County Public Schools v. Eli Lilly and Company et al., 2:24-cv- 11152-BRM-RLS || Notice of Failure to Serve
Date: Tuesday, February 18, 2025 12:17:34 PM

Thank you. I don't have that response, or Fairfax County's plaintiff fact sheet; we will work to resolve the apparent technical issue. In the meantime, could you please resend the fact sheet and document production via another method (e.g., using an LFTP if the previous send did not use one, or vice-versa)? Happy to coordinate with your staff if helpful.

Kate Walling

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kate.walling@kirkland.com

From: Mark Pifko <MPifko@baronbudd.com>
Sent: Tuesday, February 18, 2025 11:29 AM
To: Walling, Kate <kate.walling@kirkland.com>; Russell Budd <RBUDD@BARONBUDD.COM>; Chris Mansour <cmansour@baronbudd.com>; bleblanc@barondbudd.com; Roland Tellis <rtellis@baronbudd.com>; Catherine Dorsey <cdorsey@baronbudd.com>; trafferty@levinlaw.com; mschultz@levinlaw.com; bcash@levinlaw.com; tjl@kttlaw.com; cseeger@seegerweiss.com; sdaroci@seegerweiss.com; bbogle@levinlaw.com; dbuchanan@seegerweiss.com; bwidlanski@kttlaw.com
Cc: Feld, Jason Adam <jason.feld@kirkland.com>; Moorman, Ryan <ryan.moorman@kirkland.com>; Kearney, Ryan <ryan.kearney@kirkland.com>; Stilley, Tyler <tyler.stilley@kirkland.com>
Subject: RE: St. Mary's County Public Schools v. Eli Lilly and Company et al., 2:24-cv- 11152-BRM-RLS || Notice of Failure to Serve

This message is from an EXTERNAL SENDER

Be cautious, particularly with links and attachments.

On February 10, I wrote you in response to a claimed failure to serve Fairfax County's Plaintiff Fact Sheet, noting a pattern of erroneously served deficiency notices.

From: Walling, Kate <kate.walling@kirkland.com>
Sent: Tuesday, February 18, 2025 9:11 AM
To: Mark Pifko <MPifko@baronbudd.com>; Russell Budd <RBUDD@BARONBUDD.COM>; Chris Mansour <cmansour@baronbudd.com>; bleblanc@barondbudd.com; Roland Tellis

<rtellis@baronbudd.com>; Catherine Dorsey <cdorsey@baronbudd.com>; trafferty@levinlaw.com; mschultz@levinlaw.com; bcash@levinlaw.com; tjl@kttl.com; cseeger@seegerweiss.com; sdaroci@seegerweiss.com; bbogle@levinlaw.com; dbuchanan@seegerweiss.com; bwidlanski@kttl.com

Cc: Feld, Jason Adam <jason.feld@kirkland.com>; Moorman, Ryan <ryan.moorman@kirkland.com>; Kearney, Ryan <ryan.kearney@kirkland.com>; Stilley, Tyler <tyler.stilley@kirkland.com>

Subject: RE: St. Mary's County Public Schools v. Eli Lilly and Company et al., 2:24-cv- 11152-BRM-RLS
|| Notice of Failure to Serve

Apologies for the confusion, we will correct the notice regarding St. Mary's County Public Schools. As to your third sentence, I don't have anything from your firm from last week other than your Feb. 10 correspondence on behalf of the State of Arizona. If you sent something else, please let me know.

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From: Mark Pifko <MPifko@baronbudd.com>

Sent: Tuesday, February 18, 2025 10:23 AM

To: Walling, Kate <kate.walling@kirkland.com>; Russell Budd <RBUDD@BARONBUDD.COM>; Chris Mansour <cmansour@baronbudd.com>; bleblanc@barondbudd.com; Roland Tellis <rtellis@baronbudd.com>; Catherine Dorsey <cdorsey@baronbudd.com>; trafferty@levinlaw.com; mschultz@levinlaw.com; bcash@levinlaw.com; tjl@kttl.com; cseeger@seegerweiss.com; sdaroci@seegerweiss.com; bbogle@levinlaw.com; dbuchanan@seegerweiss.com; bwidlanski@kttl.com

Cc: Feld, Jason Adam <jason.feld@kirkland.com>; Moorman, Ryan <ryan.moorman@kirkland.com>; Kearney, Ryan <ryan.kearney@kirkland.com>; Stilley, Tyler <tyler.stilley@kirkland.com>

Subject: RE: St. Mary's County Public Schools v. Eli Lilly and Company et al., 2:24-cv- 11152-BRM-RLS
|| Notice of Failure to Serve

Kate,

We do not represent St. Mary's County Public Schools. See the attached docket sheet. As we noted last week, please check your records before reaching out to us regarding purported deficiencies and that are easily rectified by review of materials in your possession.

Mark Pifko

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San Diego | New York | Washington, D.C.

From: Walling, Kate <kate.walling@kirkland.com>

Sent: Tuesday, February 18, 2025 7:22 AM

To: Russell Budd <RBUDD@BARONBUDD.COM>; Chris Mansour <cmansour@baronbudd.com>;
bleblanc@baronbudd.com; Roland Tellis <rtellis@baronbudd.com>; Mark Pifko
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Cc: Feld, Jason Adam <jason.feld@kirkland.com>; Moorman, Ryan <ryan.moorman@kirkland.com>;
Kearney, Ryan <ryan.kearney@kirkland.com>; Stilley, Tyler <tyler.stilley@kirkland.com>

Subject: St. Mary's County Public Schools v. Eli Lilly and Company et al., 2:24-cv- 11152-BRM-RLS ||
Notice of Failure to Serve

Counsel,

St. Mary's County Public Schools' plaintiff fact sheet and related production was due on February 14, 2025. See ECF No. 315 ¶ 1(a)(iii) (CMO No. 14). To date, we have not received either, and are therefore notifying you of a failure to serve pursuant to CMO No. 14 ¶ 5(b). Please tender an executed and substantially completed PFS and production, or if St. Mary's County Public Schools in fact served a fact sheet and production on February 14, 2025, please advise us whom you served.

Best,

Kate Walling

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